

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Hearing on Confirmation:
March 19, 2015 at 11:00 a.m.

-----X
In re:

Chapter 11

D.A.B. Group, LLC

Case No. 14-12057 (SCC)

Debtor.

-----X

CERTIFICATION RE: BALLOTING

The undersigned, an associate with the law firm of Goldberg Weprin Finkel Goldstein LLP, counsel for the Debtor herein, certifies the following with respect to the balloting on the Debtors' Second Amended Plan of Reorganization (the "Plan") (ECF #110):

1. This Court entered an Order on March 2, 2015 (the "Scheduling Order") (ECF #112), which Scheduling Order, *inter alia*, conditionally approved the Second Amended Disclosure Statement (ECF #107); scheduled a hearing on confirmation of the Plan for March 19, 2015; and directed that notice of confirmation and solicitation of ballots be served no later than March 3, 2015.

2. An affidavit of timely service of the ballot, Plan, Disclosure Statement and Scheduling Order upon all creditors and parties in interest on March 3, 2015 was previously filed (ECF #123).

3. Under the Plan, Class 1 (City Real Estate Tax Claims) is unimpaired, and not entitled to vote.

4. Class 2 (Orchard Mortgage Claim) is unimpaired, and not entitled to vote. Orchard did not submit a ballot.

5. Class 3 (Mechanic's Lien Holders) is impaired and entitled to vote. The Debtor received three ballots from Class 3 creditors, all voting to accept the Plan. Copies of the ballots are collectively annexed hereto as Exhibit "A".

6. Class 4 (General Unsecured Creditors) is impaired and entitled to vote. The Debtor received one ballots from a Class 4 creditor, voting to accept the Plan. A copy of the ballot is annexed hereto as Exhibit "B".

7. Class 5 (Equity Interests) is not counted toward confirmation by reason of its insider status.

8. Therefore, the Plan is ready to be confirmed under the provisions of Section 1129(a) of the Bankruptcy Code, as the Plan has been accepted by both impaired non-insider Classes.

Dated: New York, NY
March 16, 2015

GOLDBERG WEPRIN FINKEL GOLDSTEIN LLP
Attorneys for the Debtor
1501 Broadway, 22nd Floor
New York, NY 10036
(212) 221-5700

By: /s/ J. Ted Donovan, Esq.

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 11

D.A.B. GROUP LLC,

Case No. 14-12057 (SCC)

Debtor.
-----X

BALLOT

This ballot should be completed and returned to the address specified below, so as
to be received no later than March 12, 2015, 5:00 p.m. (Prevailing New York Time).

Goldberg Weprin Finkel Goldstein LLP
Attn: Kevin J. Nash, Esq.
1501 Broadway – 22nd Floor
New York, NY 10036
(212) 221-5700 (voice)
(212) 221-6532 (facsimile)
KNash@GWFGLaw.com

The undersigned, a holder of a Class 3 claim against D.A.B. Group LLC,

/ X / ACCEPTS

(CHECK ONE BOX)

/ _____ / REJECTS

the Second Amended Plan of Reorganization.

Dated: March 10, 2015

EDWARD D. MINS + ASSOC. ATTORNEYS
NAME OF CREDITOR

[Signature]
AUTHORIZED SIGNATURE

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

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KNash@GWFGLaw.com

The undersigned, a holder of a Class 3 claim against D.A.B. Group LLC,

/ X / ACCEPTS

(CHECK ONE BOX)

/ _____ / REJECTS

the Second Amended Plan of Reorganization.

Dated: March 6, 2015

EMPIRE TRANSIT MIX

NAME OF CREDITOR

[Signature]
AUTHORIZED SIGNATURE

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

D.A.B. GROUP LLC,

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Debtor.
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The undersigned, a holder of a Class 3 claim against D.A.B. Group LLC,

/ X / ACCEPTS

(CHECK ONE BOX)

/ _____ / REJECTS

the Second Amended Plan of Reorganization.

Dated: March 10, 2015

Flintlock Construction Services LLC

NAME OF CREDITOR

[Signature]
AUTHORIZED SIGNATURE

Harold M. Sauer, Esq.
Harold M. Sauer, PC
Attorney for Creditor
1025 Old Country Rd, Ste 404
Westbury, NY 11590
516 248-8962

EXHIBIT B

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

D.A.B. GROUP LLC,

Case No. 14-12057 (SCC)

Debtor.
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New York, NY 10036
(212) 221-5700 (voice)
(212) 221-6532 (facsimile)
KNash@GWFGLaw.com

The undersigned, a holder of a Class ____ claim against D.A.B. Group LLC,

/ X / ACCEPTS

(CHECK ONE BOX)

/ _____ / REJECTS

the Second Amended Plan of Reorganization.

Dated: March 10, 2015

FAVATA + WALLACE LLP
NAME OF CREDITOR

William Wallace, Partner
AUTHORIZED SIGNATURE